



**US Army Corps  
of Engineers**  
Portland District

# **PUBLIC NOTICE**

## **for Permit Application**

Issue Date: March 28, 2003

Expiration Date: April 28, 2003

Corps of Engineers Action ID: 200300136

Oregon Division of State Lands Number: RF-30032

### **30-Day Notice**

Interested parties are hereby notified that an application has been received for a Department of the Army permit for certain work in waters of the United States, as described below and shown on the attached plan.

**Comments:** Comments on the described work should reference the U.S. Army Corps of Engineers number shown above and should reach this office no later than the above expiration date of this Public Notice to become part of the record and be considered in the decision. Comments should be mailed to the following address:

U.S. Army Corps of Engineers  
ATTN: CENWP-OP-GE (Mr. Dominic Yballe)  
1600 Executive Parkway; Suite 210  
Eugene, Oregon 97401

**Applicant:** Billings Ranch Golf Group LLC  
2406 Sun Oaks Drive  
Medford, Oregon 97504

**Location:** The project is located in northwest Ashland, Jackson County, Oregon. The site is north of Highway 99, south of Eagle Mills Road, and west of the Nevada Road terminus. The project is in Township 39 South; Range 1 East; Section 5.

**Project Description:** The applicants propose to discharge of up to 2,000 cubic yards of fill into roughly 0.81 acres of wetland to build a 73-lot residential subdivision. A drainage flowing northwest through the property would be filled. The site is approximately 16 acres in size. The subdivision would consist of 50 single-family houses and 23 townhouses, with two acres of open space, including 1.14 acres of wetland. The open space would contain a nature trail with an elevated boardwalk through the wetland. All storm water from the development would be routed into a biofiltration swale located along the north border.

The applicant has submitted plans to mitigate for any unavoidable impacts to waters of the United States if a permit is issued. The plan involves creation of 1.35 acres of wetlands to replace lost functions and values. The mitigation involves the expansion of the emergent fringe wetland surrounding a pond and swale located on the portion of the property approximately 600 feet to the north of the project site.

**Note:** The applicants have indicated they have future plans to construct a golf course on the adjoining parcel of property. This project would impact additional wetlands. The applicant has assured the Corps that each of the projects has independent utility, and it is not necessary to construct both, to fulfill the overall and basic project purpose of either project.

**Purpose:** The project involves fill of wetland acreage to build residential homes to meet the growing need for housing within the Ashland urban growth boundary.

**Drawings:** There are eleven (11) enclosed drawings.

**Additional Information:** Additional information may be obtained from Mr. Dominic Yballe, Project Manager, US Army Corps of Engineers by e-mail at [dominic.p.yballe@nwp01.uasace.army.mil](mailto:dominic.p.yballe@nwp01.uasace.army.mil) or by phone at (541) 465-6894.

**Authority:** This permit will be issued or denied under the following:

Section 404, Clean Water Act (33 U.S.C. 1344), for discharge of dredged or fill material into waters of the United States.

**Water Quality Certification:** A permit for the described work will not be issued until certification, as required under Section 401 of the Clean Water Act (P.L. 95-217), has been received or is waived from the certifying state. Attached is the state's notice advertising the request for certification.

**Section 404(b)(1) Evaluation:** The impact of the activity on the public interest will be evaluated in accordance with the Environmental Protection Agency guidelines pursuant to Section 404(b)(1) of the Clean Water Act.

**Public Hearing:** Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

**Endangered Species:** There are no indications of the presence of listed species within the project area.

**Cultural Resources:** The described activity is not located on property registered or eligible for registration in the latest published version of the National Register of Historic Places. This notice has been provided to the State Historic Preservation Office.

**Evaluation:** The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the described activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit, which reasonably may be expected to accrue from the described activity, must be balanced against its reasonably foreseeable detriments. All factors, which may be relevant to the described activity will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

**Additional Requirements:** State law requires that leases, easements, or permits be obtained for certain works or activity in the described waters. These State requirements must be met, where applicable, and a Department of the Army permit must be obtained before any work within the applicable Statutory Authority, previously indicated, may be accomplished. Other local governmental agencies may also have ordinances or requirements, which must be satisfied before the work is accomplished.

# **PUBLIC NOTICE**

## **Oregon Department of Environmental Quality**

### **Water Quality 401 Certification**

Corps of Engineers Action ID Number: 200300136  
Oregon Division of State Lands Number: RF-30032

Notice Issued: March 14, 2003  
Written Comments Due: April 14, 2003

**WHO IS THE APPLICANT:** Billings Ranch Golf Group LLC

**LOCATION OF CERTIFICATION ACTIVITY:** See attached U.S. Army Corps of Engineers public notice.

**WHAT IS PROPOSED:** See attached U.S. Army Corps of Engineers public notice on the proposed project.

**NEED FOR CERTIFICATION:** Section 401 of the Federal Clean Water Act requires applicants for Federal permits or licenses to provide the Federal agency a water quality certification from the State of Oregon if the proposed activity may result in a discharge to surface waters.

**DESCRIPTION OF DISCHARGES:** See attached U.S. Army Corps of Engineers public notice on the proposed project.

**WHERE TO FIND DOCUMENTS:** Documents and related material are available for examination and copying at Oregon Department of Environmental Quality, Water Quality Division, 811 S.W. 6th Avenue, Portland, Oregon 97204.

While not required, scheduling an appointment will ensure documents are readily accessible during your visit. To schedule an appointment please call Alice Kavajecz at (503) 229-6962.

Any questions on the proposed certification may be addressed to the 401 Program Coordinator, (503) 229-5845 or toll free within Oregon at 1-800-452-4011. People with hearing impairments may call DEQ's TTY at (503) 229-6993.

#### **PUBLIC PARTICIPATION:**

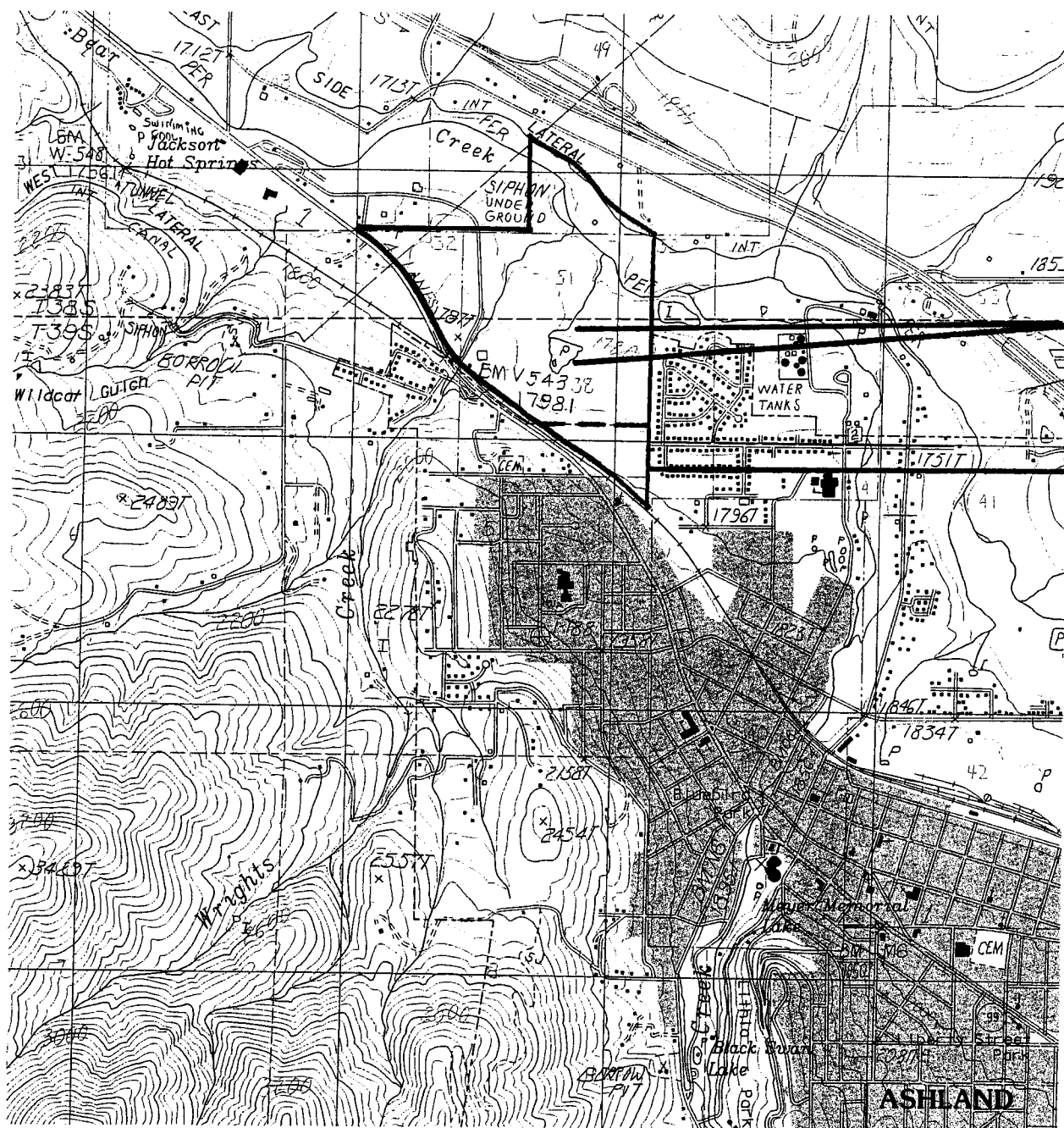
**Public Hearing:** Oregon Administrative Rule (OAR) 340-48-0020 (6) states that "The Director shall provide an opportunity for the applicant, any affected state, or any interested agency, person, or group of persons to request or petition for a public hearing with respect to certification applications. If the Director determines that new information may be produced thereby, a public hearing will be held prior to the Director's final determination. Instances of doubt shall be resolved in favor of holding the hearing. There shall be public notice of such a hearing."

#### **Written comments:**

Written comments on the proposed certification must be received at the Oregon Department of Environmental Quality by 5 p.m. on (full date). Written comments should be mailed to Oregon Department of Environmental Quality, Attn: 401 Program Coordinator, 811 S.W. 6th Avenue, Portland, Oregon 97204. ***People wishing to send written comments via e-mail should be aware that if there is a delay between servers or if a server is not functioning properly, e-mails may not be received prior to the close of the public comment period.*** People wishing to send comments via e-mail should send them in Microsoft Word (through version 7.0), WordPerfect (through version 6.x) or plain text format. Otherwise, due to conversion difficulties, DEQ recommends that comments be sent in hard copy.

**WHAT HAPPENS NEXT:** DEQ will review and consider all comments received during the public comment period. Following this review, the permit may be issued as proposed, modified, or denied. You will be notified of DEQ's final decision if you present either oral or written comments during the comment period. Otherwise, if you wish to receive notification, please call or write DEQ at the above address.

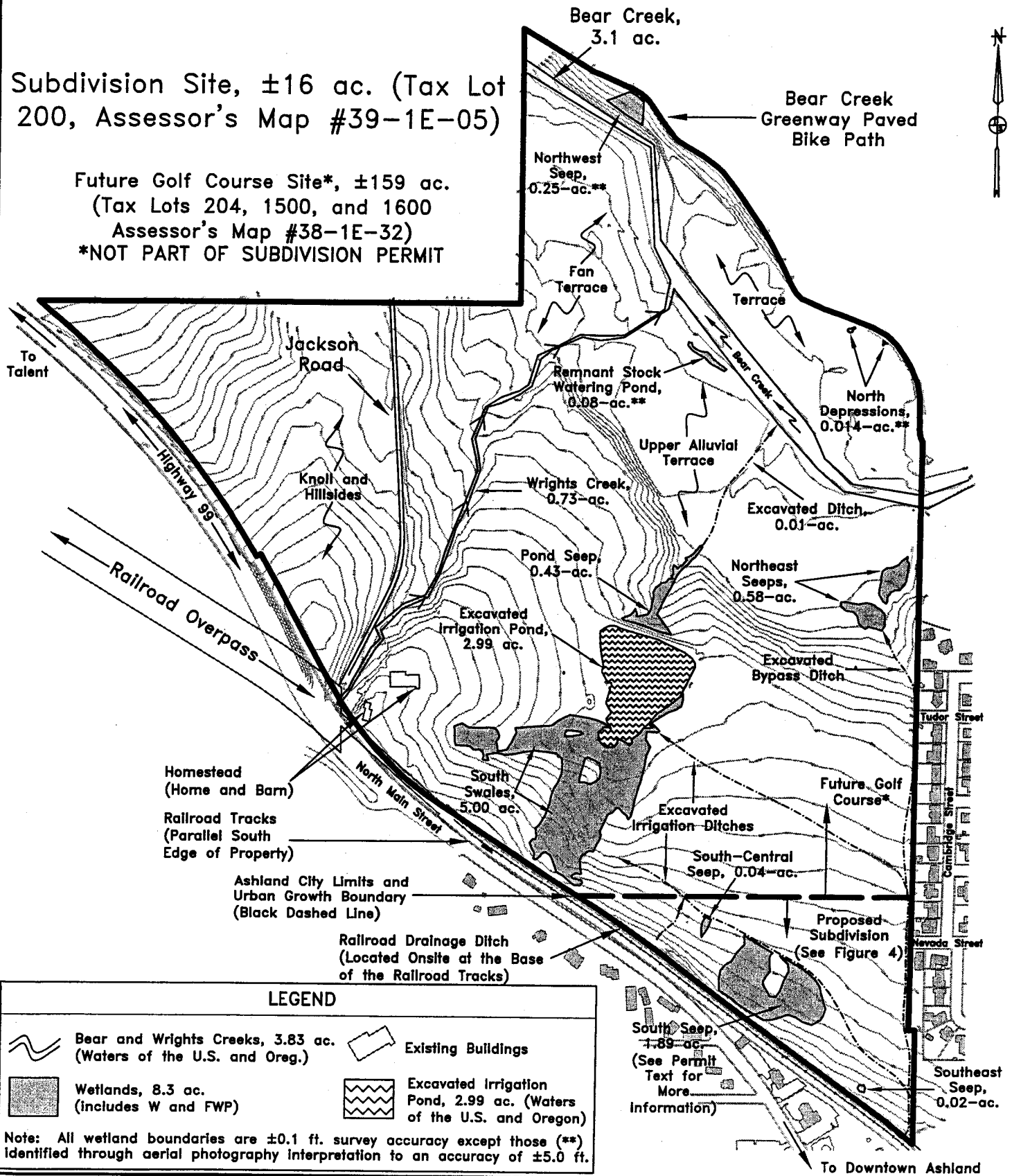
**ACCESSIBILITY INFORMATION:** This publication is available in alternate format (e.g. large print, Braille) upon request. Please contact DEQ Public Affairs at (503) 229-5766 or toll free within Oregon at 1-800-452-4011 to request an alternate format. People with a hearing impairment can receive help by calling DEQ's TTY at (503) 229-6993.



**SUBDIVISION  
SITE**

March 2003

**Future Golf Course Site\*, ±159 ac.  
(Tax Lots 204, 1500, and 1600  
Assessor's Map #38-1E-32)  
\*NOT PART OF SUBDIVISION PERMIT**




**WETLAND FILL APPLICATION AND  
MITIGATION PLAN FOR THE  
BILLINGS RANCH RESIDENTIAL SUBDIVISION  
Ashland, Jackson County, Oregon**

EXISTING CONDITIONS AND  
SITE TOPOGRAPHY,  
ENTIRE SITE

## FIGURE 2

SCALE: 1 INCH=±540 FEET



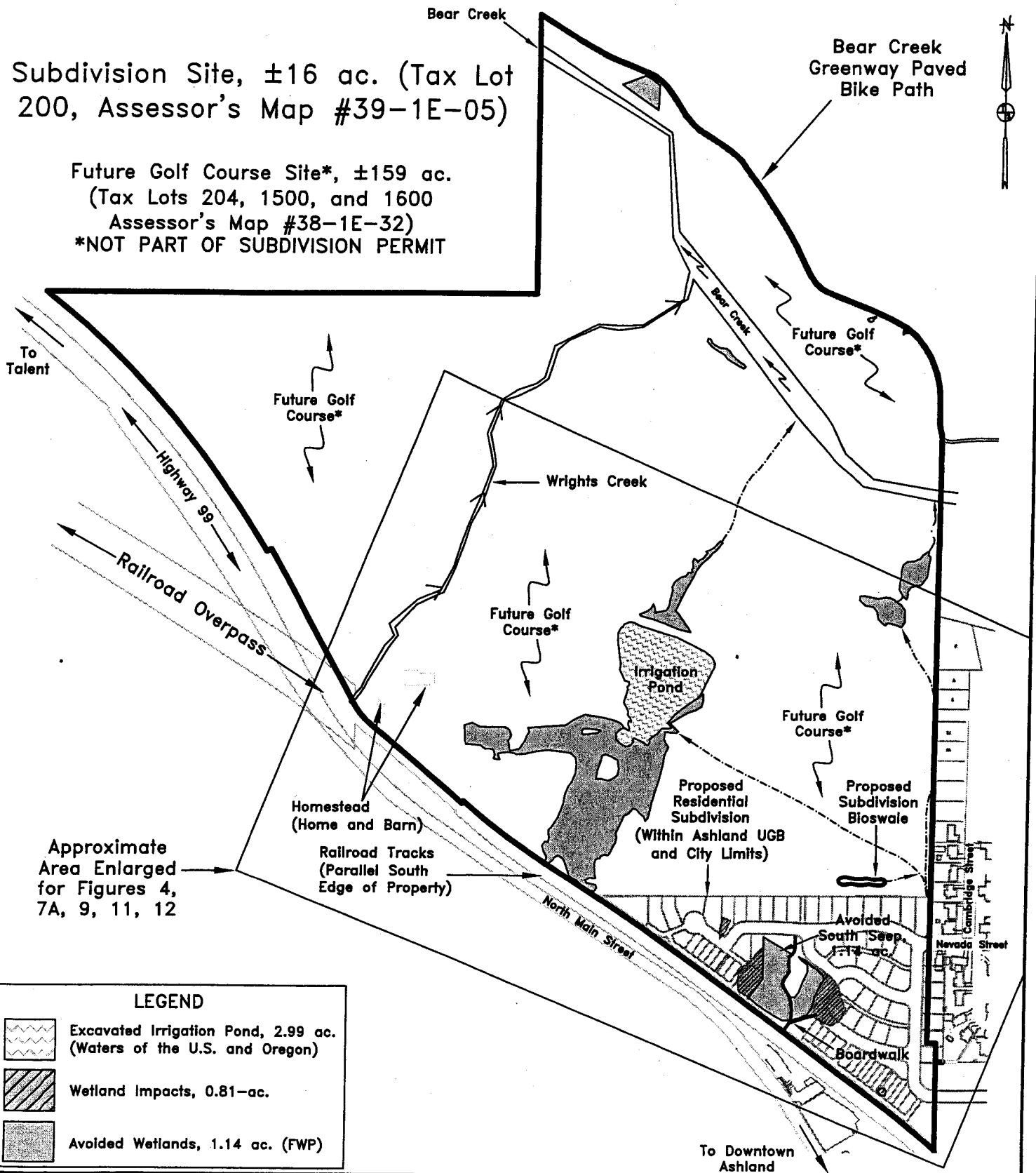
A horizontal scale bar with alternating black and white segments. Below the bar are numerical markings at 0, 270, 540, and 1080.

March 2003




SOURCE: Adapted from Thornton Engineering, Inc. topographic survey (5-ft. contour interval).

Subdivision Site,  $\pm 16$  ac. (Tax Lot 200, Assessor's Map #39-1E-05)

Future Golf Course Site\*,  $\pm 159$  ac.  
(Tax Lots 204, 1500, and 1600  
Assessor's Map #38-1E-32)  
\*NOT PART OF SUBDIVISION PERMIT



#### LEGEND

-  Excavated Irrigation Pond, 2.99 ac.  
(Waters of the U.S. and Oregon)
-  Wetland Impacts, 0.81-ac.
-  Avoided Wetlands, 1.14 ac. (FWP)

Terra Science, Inc.

Soil, Water, & Wetland Consultants

SCALE: 1 INCH= $\pm 540$  FEET



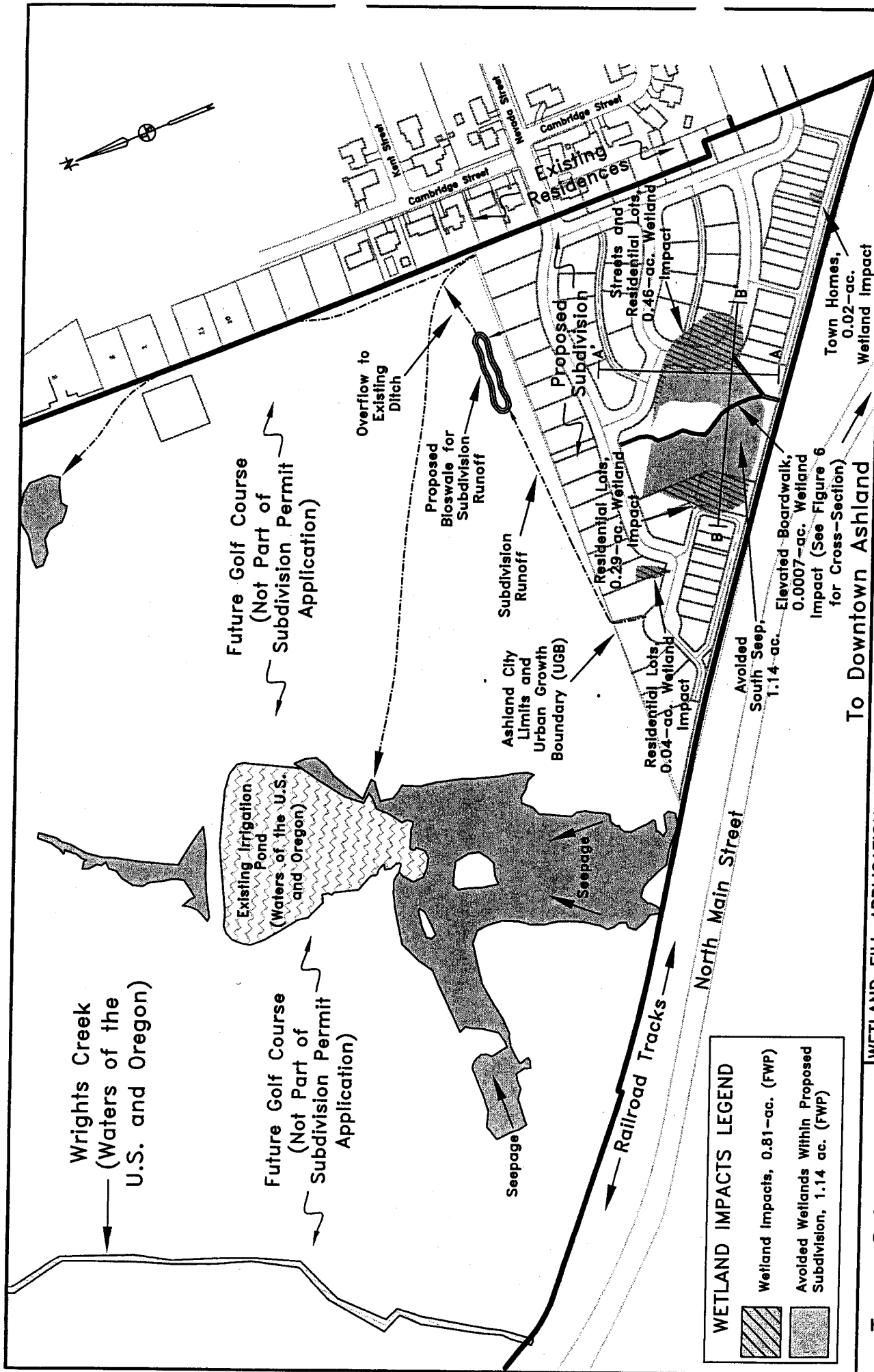
WETLAND FILL APPLICATION AND  
MITIGATION PLAN FOR THE  
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Ashland, Jackson County, Oregon

PROPOSED DEVELOPMENT AND  
WETLAND IMPACTS,  
ENTIRE SITE

FIGURE 3

March 2003

SOURCE: Adapted from Thornton  
Engineering, Inc. site plan.



**WETLAND IMPACTS LEGEND**

	Wetland Impacts, 0.81-ac. (FWP)
	Avoided Wetlands Within Proposed Subdivision, 1.14 ac. (FWP)

**Terra Science, Inc.**  
 Soil, Water, & Wetland Consultants

SCALE: 1 INCH=±300 FEET

WETLAND FILL APPLICATION AND  
 MITIGATION PLAN FOR THE  
**BILLINGS RANCH RESIDENTIAL SUBDIVISION**  
 Ashland, Jackson County, Oregon

March 2003

PROPOSED DEVELOPMENT AND  
 WETLAND IMPACTS,  
 INSET

**WETLAND IMPACT  
 CROSS-SECTIONS**

SOURCE: Adapted from Thornton Engineering, Inc. site plan.

**FIGURE 4**

CROSS-SECTION OF WETLAND FILLED FOR STREETS AND RESIDENTIAL LOTS  
(VIEW TO THE NORTHWEST)

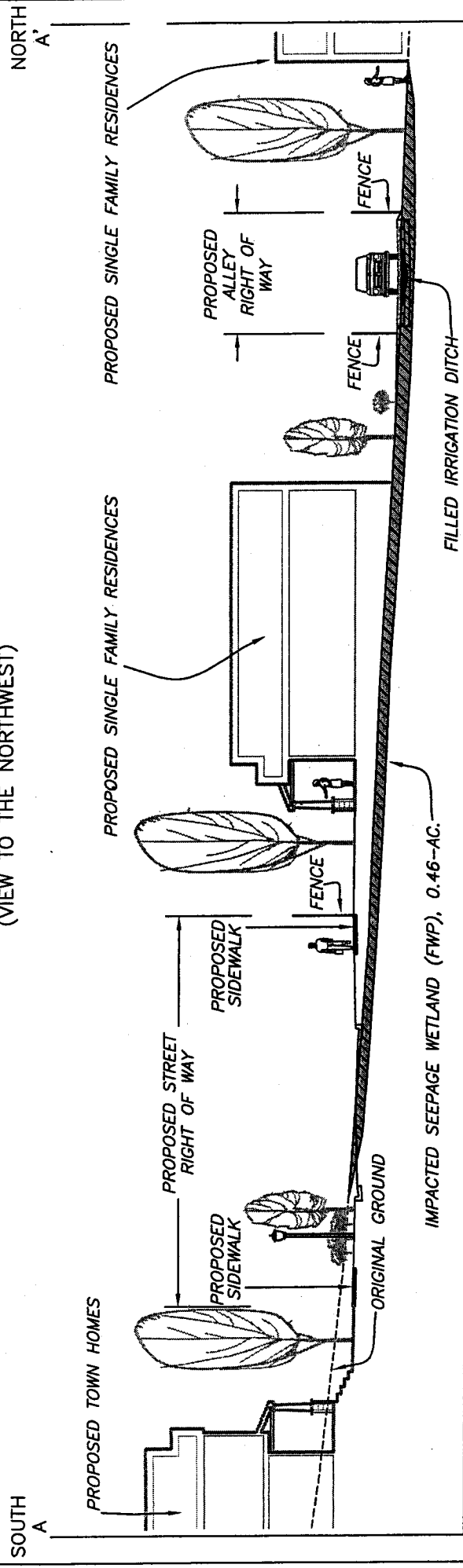
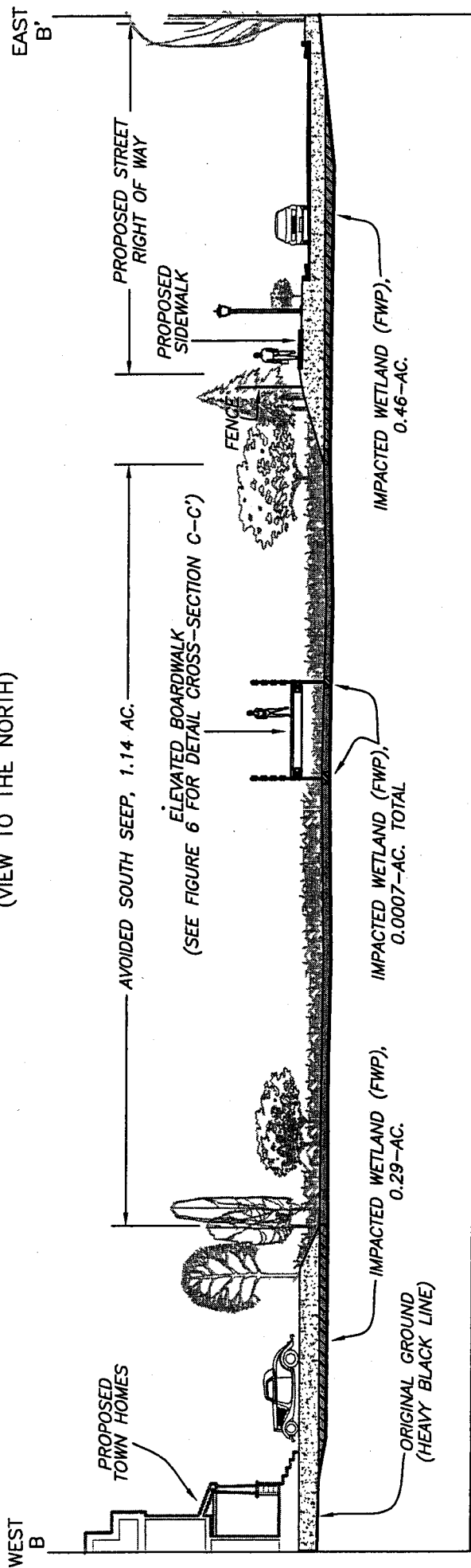


FIGURE 3

<p><b>Terra Science, Inc.</b> Soil, Water, &amp; Wetland Consultants</p> <p>SCALE: 1 INCH=20 FEET (HORIZ. &amp; VERT.)</p>	<p>WETLAND FILL APPLICATION AND MITIGATION PLAN FOR THE BILLINGS RANCH RESIDENTIAL SUBDIVISION Ashland, Jackson County, Oregon</p> <p>WETLAND IMPACT CROSS-SECTION, A-A'</p> <p>March 2003</p> <p>SOURCE: Adapted from Thornton Engineering, Inc. site plan.</p>
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# CROSS-SECTION OF WETLAND FILLED FOR THE ELEVATED BOARDWALK, STREETS, AND RESIDENTIAL LOTS (VIEW TO THE NORTH)



**Terra Science, Inc.**  
Soil, Water, & Wetland Consultants

SCALE: 1 INCH=20 FEET  
(HORIZ. & VERT.)



WETLAND FILL APPLICATION AND  
MITIGATION PLAN FOR THE  
BILLINGS RANCH RESIDENTIAL SUBDIVISION  
Ashland, Jackson County, Oregon

WETLAND IMPACT  
CROSS-SECTION,  
B-B'

**FIGURE 6**

March 2003

SOURCE: Adapted from Thornton Engineering, Inc. site plan.

# CROSS-SECTION OF ELEVATED BOARDWALK (VIEW TO THE NORTH)

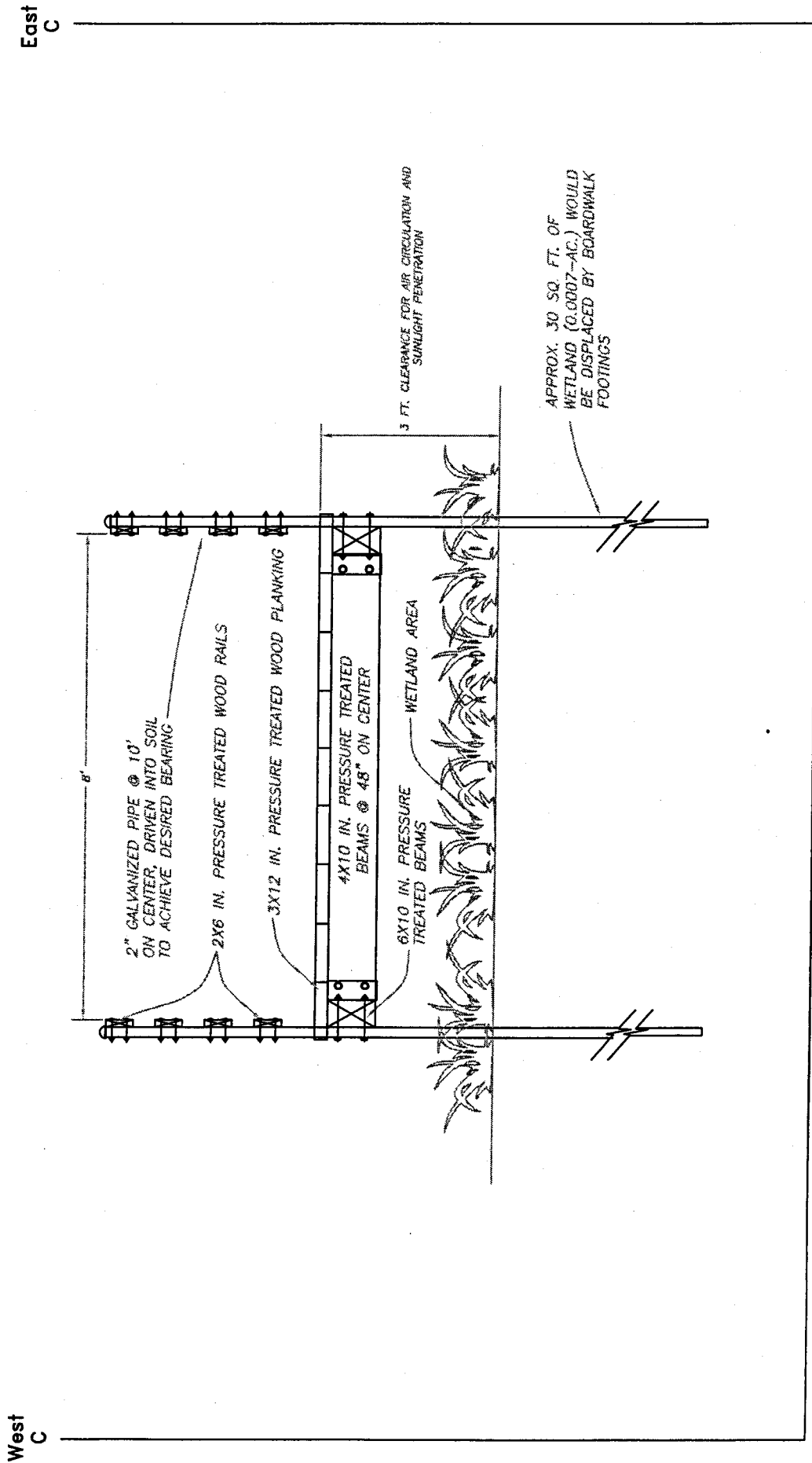


FIGURE 7

WETLAND FILL APPLICATION AND  
MITIGATION PLAN FOR THE  
BILLINGS RANCH RESIDENTIAL SUBDIVISION  
Ashland, Jackson County, Oregon

ELEVATED BOARDWALK  
CROSS-SECTION,  
C-C'

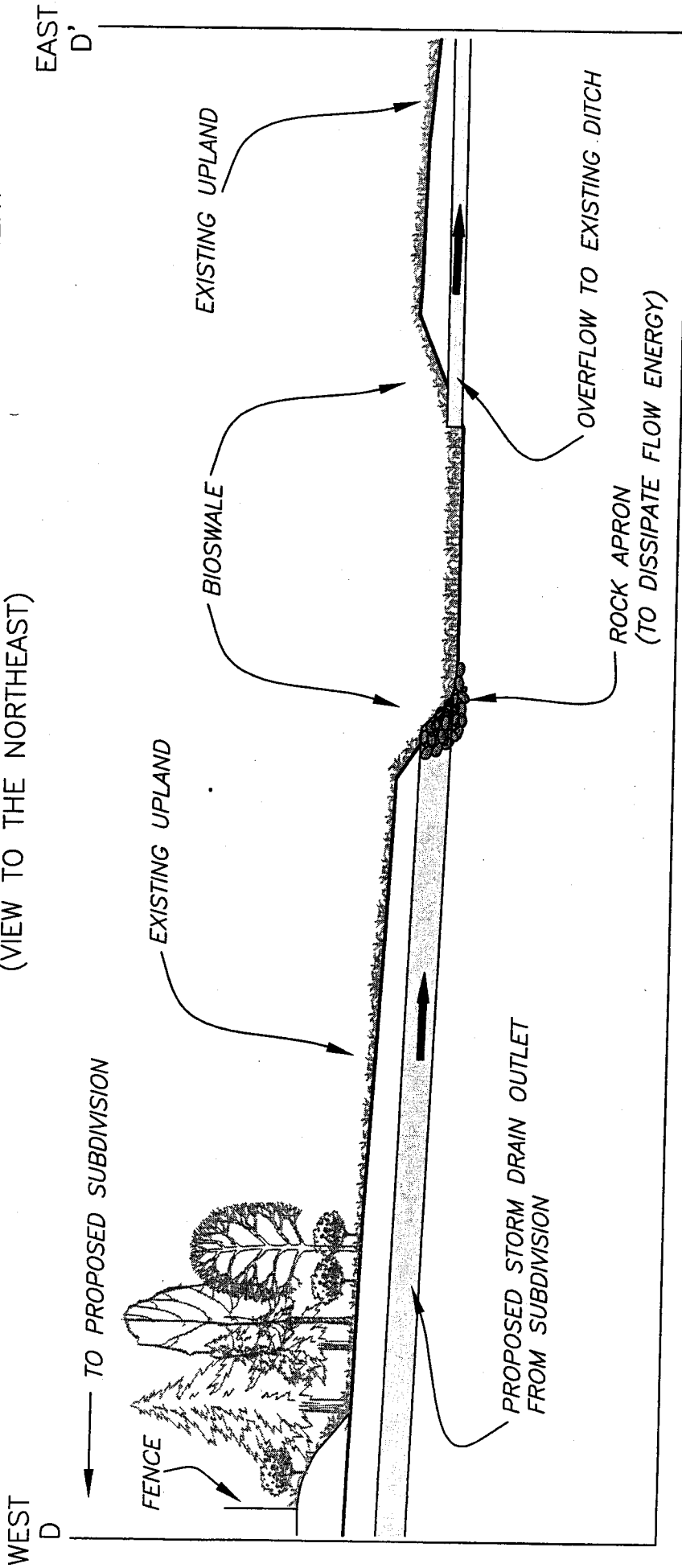
Terra Science, Inc.  
Soil, Water, & Wetland Consultants

NO SCALE

March 2003

SOURCE: Adapted from Thornton Engineering, Inc. site plan.

# CROSS-SECTION OF BIOFILTRATION SWALE FOR STORM WATER QUALITY TREATMENT (VIEW TO THE NORTHEAST)

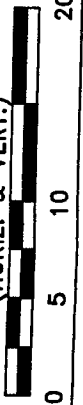


Terra Science, Inc.  
Soil, Water, & Wetland Consultants

WETLAND FILL APPLICATION AND  
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BILLINGS RANCH RESIDENTIAL SUBDIVISION  
Ashland, Jackson County, Oregon

BIOSWALE CROSS-SECTION,  
D-D'

SCALE: 1 INCH=10 FEET  
(HORIZ. & VERT.)

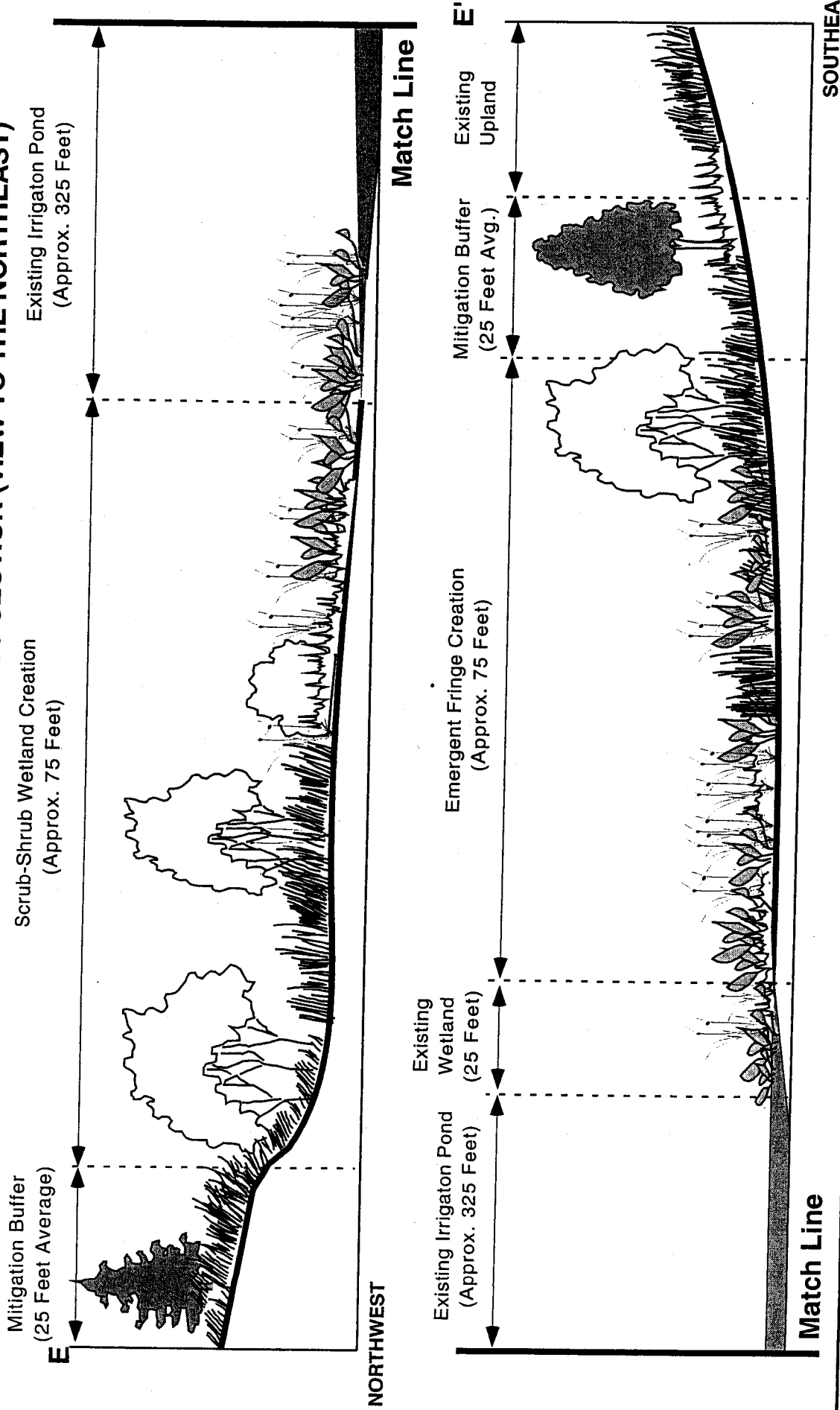


March 2003

SOURCE: Adapted from Thornton Engineering, Inc. site plan.

FIGURE 8

# IRRIGATION POND FRINGE MITIGATION CROSS SECTION (VIEW TO THE NORTHEAST)



TERRA SCIENCE, INC.  
Soil, Water & Wetland Consultants

VERTICLE AND HORIZONTAL  
SCALE: 1 INCH=15 FEET  
0 15 30

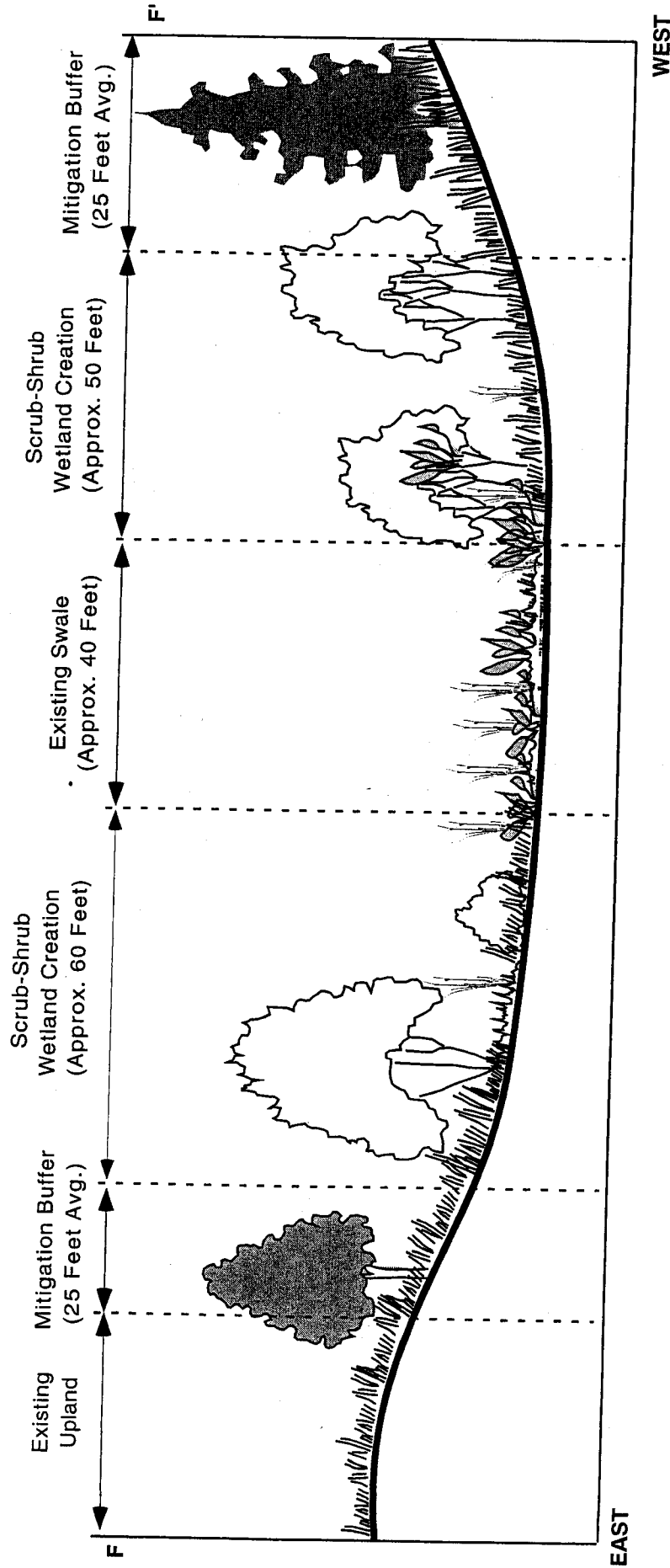
WETLAND FILL APPLICATION AND  
MITIGATION PLAN FOR THE  
BILLINGS RANCH RESIDENTIAL SUBDIVISION.  
Ashland, Jackson County, Oregon.

March 2003

FIGURE 9

MITIGATION CONCEPT  
CROSS SECTION,  
E-E'

# POND SEEP AND SWALE MITIGATION CROSS SECTION (VIEW TO THE SOUTH)



TERRA SCIENCE, INC.  
Soil, Water & Wetland Consultants

HORIZONTAL SCALE:  
1 INCH = 25 FEET

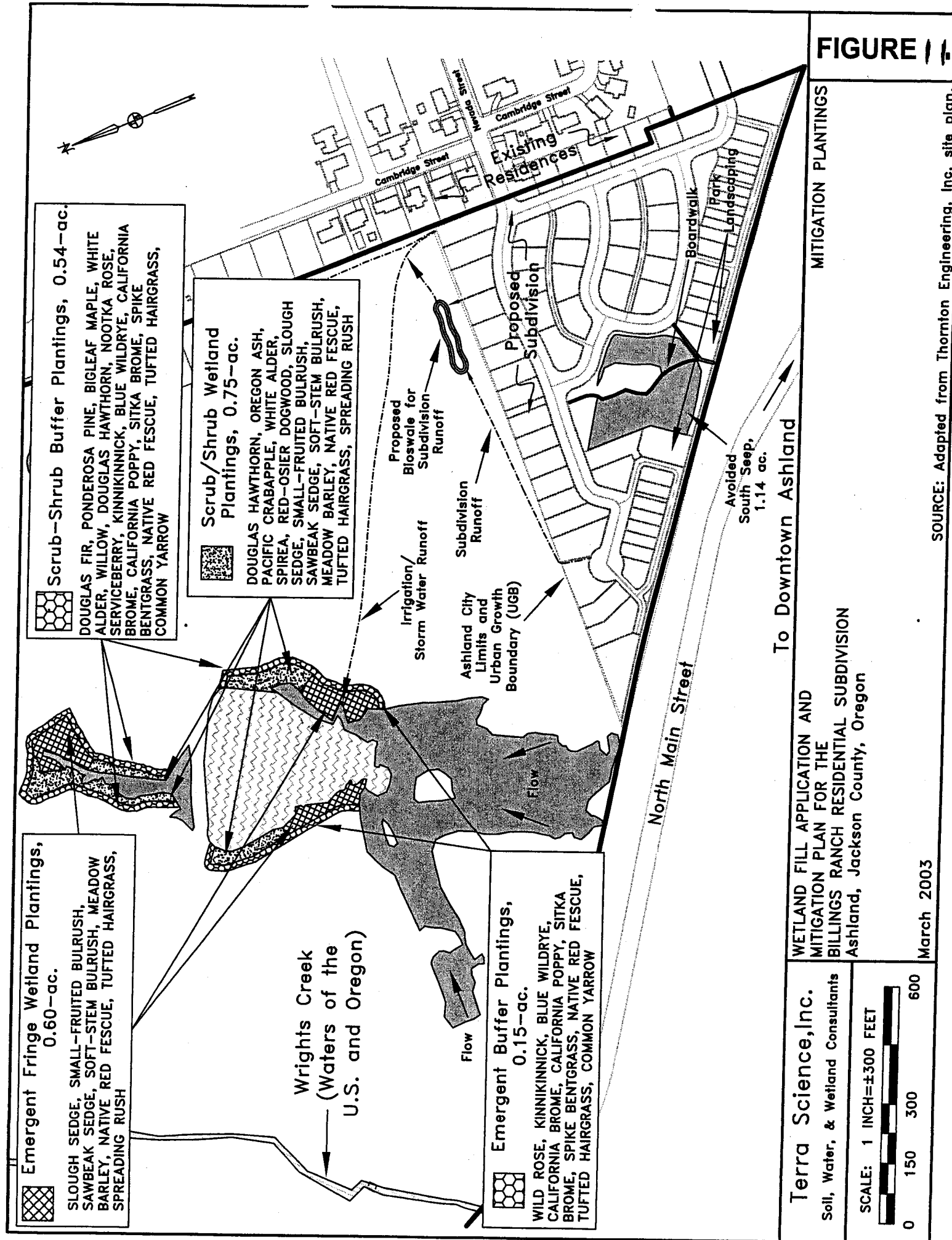
VERTICLE SCALE: 1 INCH=5 FEET

WETLAND FILL APPLICATION AND  
MITIGATION PLAN FOR THE  
BILLINGS RANCH RESIDENTIAL SUBDIVISION.  
Ashland, Jackson County, Oregon.

March 2003

MITIGATION CONCEPT  
CROSS SECTION,  
F-F'

FIGURE 10



TERRA SCIENCE, INC.  
ATTN GREG SWENSON PHIL SCOLES  
PO BOX 2100  
PORTLAND OR 97208-2100

MIKE PERU  
BILLINGS RANCH GOLF GROUP L.L.C.  
2406 SUN OAKS DRIVE  
MEDFORD OR 97504

MR. TIM BILLINGS  
BILLINGS MEMORIAL L.L.C.  
160 REITEN DRIVE  
ASHLAND OR 97520

CALHOUN JAMES M/LORI D  
820 CAMBRIDGE ST.  
ASHLAND, OR 97520

FLANNERY P D/PAULA C BROWN  
P O BOX 1079  
ASHLAND, OR 97520

RAILROAD  
(UNKNOWN CONTACT  
INFORMATION)

NELSON JULIE A  
400 W. NEVADA ST.  
ASHLAND, OR 97520

COWAN DIANE T TRUSTEE FBO  
1330 OREGON ST.  
ASHLAND, OR 97520

CITY OF ASHLAND  
20 E. MAIN ST.  
ASHLAND, OR 97520

BILLINGS MEMORIAL LLC  
160 REITEN DR.  
ASHLAND, OR 97520